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| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Complete if Known | | | |
| | | Application Number | 10/803,622 | | |
| | | Filing Date | March 18, 2004 | | |
| | | First Named Inventor | John McCafferty, et al. | | |
| | | Group Art Unit | 1639 | | |
| | | Examiner Name | Amber D. Steele | | |
| Sheet | 1 | of | 16 | Attorney Docket Number | 05569.0004.DVUS11 |

| U.S. PATENT DOCUMENTS | | | | | |
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| Examiner Initials* | Cite No. ¹ | Document Number Number – Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
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| Examiner Signature | /Amber D. Steele/ | Date Considered | 07/31/2009 |
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| | | | | Examiner Name | Amber D. Steele |
| Sheet | 2 | of | 16 | Attorney Docket Number | 05569.0004.DVUS11 |

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| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | | |
| /ADS/ | B1 | EP | 436597 B1 | 04/02/1997 | Protein Engineering Corporation | | |
| /ADS/ | B2 | GB | 91/25579.4 | 02/12/1991 | Cambridge Antibody Technology Ltd. | | |
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| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | | | | | |
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| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published | | | T ² |
| | | | | | |
| /ADS/ | C1 | U.S. Appl. No. 08/484,893 | Advisory Action dated November 3, 1997 | | |
| | C2 | U.S. Appl. No. 08/484,893 | Final office action dated March 28, 1997 | | |
| | C3 | U.S. Appl. No. 08/484,893 | Non-final office action dated July 20, 1999 | | |
| | C4 | U.S. Appl. No. 08/484,893 | Non-Final office action dated June 17, 1996 | | |
| | C5 | U.S. Appl. No. 08/484,893 | Non-final office action dated June 9, 1998 | | |
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| | C7 | U.S. Appl. No. 08/484,893 | Restriction Requirement dated December 7, 1998 | | |
| | C8 | U.S. Appl. No. 09/196,522 | Examiner's Amendment dated January 28, 2004 | | |
| | C9 | U.S. Appl. No. 09/196,522 | Restriction Requirement dated November 27, 1999 | | |
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| | C12 | U.S. Appl. No. 09/196,522 | Notice of Allowance dated May 3, 2004 | | |
| | C13 | U.S. Appl. No. 09/196,586 | Advisory Action dated December 5, 2008 | | |
| | C14 | U.S. Appl. No. 09/196,586 | Advisory Action dated May 4, 2007 | | |
| ✓ | C15 | U.S. Appl. No. 09/196,586 | Final office action dated September 22, 2006 | | |
| | C16 | U.S. Appl. No. 09/196,586 | Final office action dated April 17, 2001 | | |
| /ADS/ | C17 | U.S. Appl. No. 09/196,586 | Final office action dated December 22, 2004 | | |

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| | | First Named Inventor | John McCafferty, et al. |
| | | Group Art Unit | 1639 |
| | | Examiner Name | Amber D. Steele |
| Sheet 3 of 16 | | Attorney Docket Number | 05569.0004.DVUS11 |

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| | C20 | U.S. Appl. No. 09/196,586 Non-final office action dated April 4, 2002 | |
| | C21 | U.S. Appl. No. 09/196,586 Non-final office action dated December 28, 2005 | |
| | C22 | U.S. Appl. No. 09/196,586 Non-Final office action dated January 9, 2008 | |
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| | C24 | U.S. Appl. No. 09/196,586 Restriction Requirement dated December 21, 1999 | |
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| | C29 | U.S. Appl. No. 09/196,673 Non-final office action dated April 11, 2000 | |
| | C30 | U.S. Appl. No. 09/196,673 Non-final office action dated January 18, 2001 | |
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| | C40 | U.S. Appl. No. 09/416,902 Non-final office action dated August 16, 2007 | |
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| | C42 | U.S. Appl. No. 09/416,902 Non-final office action dated September 19, 2008 | |
| | C43 | U.S. Appl. No. 09/416,902 Notice of Allowance dated February 4, 2008 | |
| | C44 | U.S. Appl. No. 09/416,902 Restriction Requirement dated September 18, 2000 | |
| | C45 | U.S. Appl. No. 09/417,478 Advisory Action dated January 29, 2007 | |
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| /ADS/ | C54 | U.S. Appl. No. 09/417,479 Restriction Requirement dated June 26, 2000 | |

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| | | | | Examiner Name | Amber D. Steele |
| Sheet | 4 | of | 16 | Attorney Docket Number | 05569,0004.DVUS11 |

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|-------|-----|---|--|
| /ADS/ | C55 | U.S. Appl. No. 09/706,507 Non-final office action dated May 5, 2006 | |
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| (use as many sheets as necessary) | | Attorney Docket Number | 05569.0004.DVUS11 |
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| Sheet | 6 | of | 16 | | |

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| | | Filing Date | March 18, 2004 |
| | | First Named Inventor | John McCafferty, et al. |
| | | Group Art Unit | 1639 |
| | | Examiner Name | Amber D. Steele |
| Sheet 7 of 16 | | Attorney Docket Number | 05569.0004.DVUS11 |

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| | | | | Examiner Name | Amber D. Steele |
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| /ADS/ | C150 | Deposition Transcript of Dr. Gregory Paul Winter, taken April 30, 2002; Morphosys AG v. Cambridge Antibody Technology Limited, Case No. 1:00-CV-00146 (30 pages) (U.S. District Court, District of Columbia.) | |
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| Sheet | 10 | of | 16 | Attorney Docket Number | 05569.0004.DVUS11 |

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| /ADS/ | C161 | Notice of Appeal to the European Patent EP-B-0589877 from Dyax Corp., filed Jun. 17, 2002 | |
| /ADS/ | C162 | Communication from EPO on Notice of Appeal filed by Dyax, issued October 21, 2002 | |
| /ADS/ | C163 | Notice of Appeal to the European Patent EP-B-0589877 from Biolnvent Therapeutic AB, filed June 14, 2002 | |
| /ADS/ | C164 | Appeal No. T0639/02-334 from Biolnvent Therapeutic AB to the European Patent EP-B-0589877, filed August 22, 2002 | |
| /ADS/ | C165 | Notice of Appeal to the European Patent EP-B-0589877 from MorphoSys AG filed June 20 2002 and Grounds of the Appeal filed August 22, 2002 | |
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| /ADS/ | C167 | Notice of Opposition to the European Patent EP-B-0589877 from Biolnvent International AB, filed October 24 2002 | |
| /ADS/ | C168 | Document D80 in Appeal No. T0639/02-334: HHS' Freedom of Information Act (FOIA) regulations: table of contents, 5.1, 5.2, 5.3, 5.5, 5.21, 5.22, 5.24, 5.31, 5.32, 5.33, 5.34, 5.35, 5.51, 5.61 and 5.65 | |
| /ADS/ | C169 | Document D81 in Appeal No. T0639/02-334: Smith Declaration | |
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| /ADS/ | C177 | Document D90 in Appeal No. T0639/02-334: Marvin & Hohn (1969). Bacteriological Rev 33(2), 172-209 | |
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| /ADS/ | C180 | Notice of Opposition to the European Patent EP-B-0589877 from Crucell Holland B.V., filed October 30, 2002 | |
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| Substitute for form 1449B/PTO | | | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | | Application Number | 10/803,622 |
| | | | | Filing Date | March 18, 2004 |
| | | | | First Named Inventor | John McCafferty, et al. |
| | | | | Group Art Unit | 1639 |
| | | | | Examiner Name | Amber D. Steele |
| Sheet | 13 | of | 16 | Attorney Docket Number | 05569.0004.DVUS11 |

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|-------|------|--|--|
| /ADS/ | C205 | Opposition to European patent EP-B-0589877, cited opposition document D42: Proba et al. "A natural antibody missing a cysteine in VH: consequences for thermodynamic stability and folding", J. Mol. Biol. 265: 161-172 (1997) | |
| /ADS/ | C206 | Opposition to European patent EP-B-0589877, cited opposition document D43: Proba et al. "Antibody scFv fragments without disulfide bonds made by molecular evolution", J. Mol. Biol. 275: 245-253 (1998) | |
| /ADS/ | C207 | Opposition to European patent EP-B-0589877, cited opposition document D44: Letter of 18 November 1992 to EPO from Kilburn Strode in prosecution of EP-B-0 349 578 | |
| /ADS/ | C208 | Opposition to European patent EP-B-0589877, cited opposition document D45: Page 3 of EPO letter of 19 October 1993 addressed to Plougmann, Ole (c/o Plougmann Vingtoft A/S) in prosecution of EP-B-0 768 377 | |
| /ADS/ | C209 | Opposition to European patent EP-B-0589877, cited opposition document D46: Letter of 22 September 1994 to EPO from Plougmann & Vingtoft in prosecution of EP-B-0 768 377 | |
| /ADS/ | C210 | Opposition to European patent EP-B-0589877, cited opposition document D47: Extract from OD Decision in opposition proceedings against EP-B-0 201 184, (1995) | |
| /ADS/ | C211 | Opposition to European patent EP-B-0589877, cited opposition document D48: Letter of 14 February 1996 to EPO from Hepworth, Lawrence, Bryer & Bizley in prosecution of EP-A-0 527 839, 1996 | |
| /ADS/ | C212 | Opposition to European patent EP-B-0589877, cited opposition document D49: the Boards of Appeal of the European Patent Office decision of 8 May 1996, case number T694/92 – 3.3.4 | |
| /ADS/ | C213 | Opposition to European patent EP-B-0589877, cited opposition document D50: Extract from opposition proceeding against EP-B-0 349 578 (1996) | |
| /ADS/ | C214 | Opposition to European patent EP-B-0589877, cited opposition document D51: Extract from OD Decision in proceedings against EP-B-0 349 578 (1998) | |
| /ADS/ | C215 | Opposition to European patent EP-B-0589877, cited opposition document D53: Declaration of professor sir Aaron Klug, Ph.D. with exhibits, (23 June 1998) | |
| /ADS/ | C216 | Opposition to European patent EP-B-0589877, cited opposition document D54: preprint of paper by Scott and Smith submitted to Science, date of availability to public unproven | |
| /ADS/ | C217 | Opposition to European patent EP-B-0589877, cited opposition document D55: Smith grant application, date of availability to public unproven | |
| /ADS/ | C218 | Opposition to European patent EP-B-0589877, late filed document D56: claim for infringement of 24 September 1998, from Cambridge Antibody Technology Limited to EPO | |

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| Sheet | 14 | of | 16 | Attorney Docket Number | 05569.0004.DVUS11 |

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|-------|------|---|--|
| /ADS/ | C219 | Opposition to European patent EP-B-0589877, late filed document D58: McConnell et al. "Constrained peptide libraries as a tool for finding mimotopes", Gene 151: 115-118 (1994). | |
| /ADS/ | C220 | Opposition to European patent EP-B-0589877, late filed document D59: two chapters of "Lambda II" (eds. Hendrix et al.) Cold Spring Harbour Laboratory, Cold Spring Harbour, New York, 1983: "A Beginner's Guide to Lambda Biology" (Arber) (pp. 381-395) and "Tail Assembly and Injection" (Katsura) (pp. 331-346). | |
| /ADS/ | C221 | Opposition to European patent EP-B-0589877, late filed document D60: Parmley & Smith "Filamentous fusion phage cloning vectors for the study of epitopes and design vaccines", Adv. Exp. Med. Biol. 251: 251-8 (1989). The document was not admitted to the proceedings. | |
| /ADS/ | C222 | Opposition to European patent EP-B-0589877, late filed document D63: Declaration of William D. Huse, MD, Ph.D. (17 August 1999). The document was not admitted to the proceedings. | |
| /ADS/ | C223 | Opposition to European patent EP-B-0589877, late filed document D66: Crissman & Smith, "Gene-III protein of filamentous viruses: evidence for a carboxyl-terminal domain with a role in morphogenesis", Virology 132: 445-455 (1994). | |
| /ADS/ | C224 | Opposition to European patent EP-B-0589877, late filed document D67: Declaration of Dr. Viia Valge-Archer (3 May, 2000) | |
| /ADS/ | C225 | Opposition to European patent EP-B-0589877, late filed document D68: Declaration of Dr. Hiroshi Ueda (3 May, 2000) | |
| /ADS/ | C226 | Opposition to European patent EP-B-0589877, late filed document D69: First Declaration of Dr. Rachel B. Kent (4 February, 2000). The document was objected to by patentees. | |
| /ADS/ | C227 | Opposition to European patent EP-B-0589877, late filed document D71: letter of patentees filed at USPTO on 16 July 1996. The document was objected to by patentees. | |
| /ADS/ | C228 | Opposition to European patent EP-B-0589877, late filed document D72: letter of patentees filed at USPTO on 6 March 1997. The document was objected to by patentees. | |
| /ADS/ | C229 | Opposition to European patent EP-B-0589877, late filed document D73: Opposition by CAT against EP-B-0 564 531. The document was objected to by patentees. | |
| /ADS/ | C230 | Opposition to European patent EP-B-0589877, late filed document D74: Decision of EPOD on EP-B-0 201 184. The document was objected to by patentees. | |
| /ADS/ | C231 | Opposition to European patent EP-B-0589877, late filed document D75: Declaration of Prof. Andreas Plückhün (3 May, 2000). The document was objected to by patentees. | |

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| Sheet | 15 | of | 16 |
| | | Attorney Docket Number | 05569.0004.DVUS11 |

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| /ADS/ | C232 | Opposition to European patent EP-B-0589877, late filed document D76: Notice of grant awarded to Smith grant application. The document was objected to by patentees. | |
| /ADS/ | C233 | Opposition to European patent EP-B-0589877, late filed document D77: Endemann and Model "Location of filamentous phage minor coat proteins in phage and in infected cells", J. Mol. Biol. 250: 496-506 (1995). The document was objected to by patentees. | |
| /ADS/ | C234 | Opposition to European patent EP-B-0589877, late filed document D79: Extract from MorphoSys website. | |
| /ADS/ | C235 | Opposition to European patent EP-B-0589877, late filed document D80: Written Decision dated 26 May 2000 to revoke EP-B-0436597. | |
| /ADS/ | C236 | Opposition to European patent EP-B-0589877, late filed document D81: 2nd Declaration of Dr. Viia Valge-Archer (31 May, 2000). | |
| /ADS/ | C237 | Complaint filed 4/23/99 | |
| /ADS/ | C238 | First Amended Complaint filed 5/6/99 | |
| /ADS/ | C239 | Defendant Cambridge Antibody Technology, Limited's Motion to Dismiss plaintiff MorPhosys Ag's Complaint filed 06/8/99 | |
| /ADS/ | C240 | Response of Plaintiff MorphoSys AG to Cambridge Antibody Technology Ltd's First Set of Interrogatories and Request for Production of Documents and Things filed 10/18/99 | |
| /ADS/ | C241 | Plaintiff's Supplemental Answer to Interrogatory No. 2 | |
| /ADS/ | C242 | Response of Plaintiff-MorphoSys AG to Cambridge Antibody Technology Ltd.'s First Set of Interrogatories and Request for Production of Documents and Things filed 3/27/00 | |
| /ADS/ | C243 | Response of Plaintiff MorphoSys AG to Cambridge Antibody Technology Ltd.'s Second set of Interrogatories filed 7/3/00 | |
| /ADS/ | C244 | Response of MorphoSys AG to Cambridge Antibody Technology's Third Set of Interrogatories filed 8/14/00 | |
| /ADS/ | C245 | Declaration of Edward S. Golub, Ph.D. in Support of Morpho Sys Motion for Partial Summary Judgment of Noninfringement filed 9/1/00 | |
| /ADS/ | C246 | Edward S. Golub, Ph.D. Curriculum Vitae | |
| /ADS/ | C247 | Expert Report of Edward S. Golub, Ph.D. dated 6/00 (with Exhibit 1) E. S. Golub Curriculum Vitae-Exhibit 2 E.S. Golub Validity Report and Exhibit 3 Declaration of E.S. Golub regarding Immunological Concepts | |
| /ADS/ | C248 | Rebuttal Expert Report of Edward S. Golub, Ph.D. | |
| /ADS/ | C249 | Reply of Edward S. Golub, Ph.D. to Rebuttal Expert Reports of Edward P. Cohen, M.D. and Ronald II, Jackson, Ph.D. dated 08/01/00 | |

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| Sheet | 16 | of | 16 | | |

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|-------|------|--|--|
| /ADS/ | C250 | Declaration of Carlos F. Barbas III, Ph.D. in Support of MorphoSys Motion for Partial Summary Judgment of Noninfringement filed 9/1/00 | |
| /ADS/ | C251 | Carlos F. Barbas III, Ph.D. Curriculum Vitae | |

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